

110TH CONGRESS  
1ST SESSION

# H. R. 2003

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IN THE SENATE OF THE UNITED STATES

OCTOBER 3, 2007

Received; read twice and referred to the Committee on Foreign Relations

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## AN ACT

To encourage and facilitate the consolidation of peace and security, respect for human rights, democracy, and economic freedom in Ethiopia.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Ethiopia Democracy  
3 and Accountability Act of 2007”.

4 **SEC. 2. STATEMENT OF POLICY.**

5       It is the policy of the United States to—

6           (1) support the advancement of human rights,  
7 democracy, independence of the judiciary, freedom of  
8 the press, peacekeeping capacity building, and eco-  
9 nomic development in the Federal Democratic Re-  
10 public of Ethiopia;

11          (2) seek the unconditional release of all political  
12 prisoners and prisoners of conscience in Ethiopia;

13          (3) foster stability, democracy, and economic  
14 development in the region;

15          (4) support humanitarian assistance efforts, es-  
16 pecially in the Ogaden region;

17          (5) collaborate with Ethiopia in the Global War  
18 on Terror; and

19          (6) strengthen United States-Ethiopian rela-  
20 tions based on the policy objectives specified in para-  
21 graphs (1) through (5).

22 **SEC. 3. SUPPORT FOR HUMAN RIGHTS IN ETHIOPIA.**

23       The Secretary of State shall—

24           (1) provide financial support to local and na-  
25 tional human rights groups and other relevant civil  
26 society organizations to help strengthen human

1 rights monitoring and regular reporting on human  
2 rights conditions in Ethiopia;

3 (2) provide legal support, as needed, for polit-  
4 ical prisoners and prisoners of conscience in Ethi-  
5 opia and assist local, national, and international  
6 groups that are active in monitoring the status of  
7 political prisoners and prisoners of conscience in  
8 Ethiopia;

9 (3) seek to promote and bolster the independ-  
10 ence of the Ethiopian judiciary through—

11 (A) facilitation of joint discussions between  
12 court personnel, officials from the Ethiopian  
13 Ministry of Justice, relevant members of the  
14 legislature, and civil society representatives on  
15 international human rights standards; and

16 (B) encouraging exchanges between Ethio-  
17 pian and United States jurists, law schools, law  
18 professors, and law students, especially in legal  
19 fields such as constitutional law, role of the ju-  
20 diciary, due process, political and voting rights,  
21 criminal law and procedure, and discrimination;

22 (4) establish a program, in consultation with  
23 Ethiopian civil society, to provide for a judicial mon-  
24 itoring process, consisting of indigenous organiza-  
25 tions, international organizations, or both, to mon-

itor judicial proceedings throughout Ethiopia, with special focus on unwarranted government intervention on matters that are strictly judicial in nature, and to report on actions needed to strengthen an independent judiciary;

(5) establish a program, in consultation with Ethiopian civil society, and provide support to other programs, to strengthen independent media in Ethiopia, including training, and technical support;

(6) expand the Voice of America's Ethiopia program;

(7) support efforts of the international community to gain full and unfettered access to the Ogaden region for—

(A) humanitarian assistance organizations;

and

(B) independent human rights experts; and

(8) work with appropriate departments and agencies of the Government of the United States and appropriate officials of foreign governments—

(A) to identify members of the Mengistu Haile Mariam regime and officials of the current Government of Ethiopia who were engaged in gross human rights violations, including

1           those individuals who may be residing in the  
2           United States; and

3                   (B) to support and encourage the prosecu-  
4           tion of individuals identified under subpara-  
5           graph (A) in the United States or Ethiopia.

6 **SEC. 4. SUPPORT FOR DEMOCRATIZATION IN ETHIOPIA.**

7           (a) STRENGTHENING LOCAL, REGIONAL, AND NA-  
8           TIONAL DEMOCRATIC PROCESSES.—The Secretary of  
9           State shall—

10                   (1) provide assistance to strengthen local, re-  
11           gional, and national parliaments and governments in  
12           Ethiopia, as needed;

13                   (2) establish a program focused on reconcili-  
14           ation efforts between the Government of Ethiopia  
15           and political parties, including in minority commu-  
16           nities, in preparation for negotiation and for partici-  
17           pation in the political process; and

18                   (3) provide training for civil society groups in  
19           election monitoring in Ethiopia.

20           (b) DEMOCRACY ENHANCEMENT.—

21                   (1) ASSISTANCE.—United States technical as-  
22           sistance for democracy promotion in Ethiopia should  
23           be made available to all political parties and civil so-  
24           ciety groups in Ethiopia.

25                   (2) RESTRICTION.—

(A) IN GENERAL.—Nonessential United States assistance shall not be made available to the Government of Ethiopia if the Government of Ethiopia acts to obstruct United States technical assistance to advance human rights, democracy, independence of the judiciary, freedom of the press, economic development, and economic freedom in Ethiopia.

(B) DEFINITION.—In this paragraph, the term “nonessential United States assistance” means assistance authorized under any provision of law, other than humanitarian assistance, food aid programs, assistance to combat HIV/AIDS and other health care assistance, peacekeeping assistance, and counter-terrorism assistance.

**SEC. 5. ENSURING GOVERNMENT SUPPORT FOR HUMAN RIGHTS, DEMOCRACY, AND ECONOMIC DEVELOPMENT IN ETHIOPIA.**

(a) LIMITATION ON SECURITY ASSISTANCE; TRAVEL RESTRICTIONS.—

(1) LIMITATION ON SECURITY ASSISTANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), security assistance shall not be provided to Ethiopia until such time as the

1 certification described in paragraph (3) is made  
2 in accordance with such paragraph.

3 (B) EXCEPTION.—Subparagraph (A) shall  
4 not apply with respect to peacekeeping assist-  
5 ance, counter-terrorism assistance, or inter-  
6 national military education and training for ci-  
7 vilian personnel under section 541 of the For-  
8 eign Assistance Act of 1961 (commonly referred  
9 to as “Expanded IMET”). Peacekeeping or  
10 counter-terrorism assistance provided to Ethi-  
11 opia shall not be used for any other security-re-  
12 lated purpose or to provide training to security  
13 personnel or units against whom there is cred-  
14 ible evidence of gross human rights abuses or  
15 violations.

16 (2) TRAVEL RESTRICTIONS.—Beginning on the  
17 date that is 60 days after the date of the enactment  
18 of this Act and until such time as the certification  
19 described in paragraph (3) is made in accordance  
20 with such paragraph, the President shall deny a visa  
21 and entry into the United States to—

22 (A) any official of the Government of Ethi-  
23 opia—

24 (i) who has been involved in giving or-  
25 ders to use lethal force against peaceful

1                   demonstrators or police officers in Ethi-  
2                   opia; or

3                   (ii) against whom there is credible evi-  
4                   dence of gross human rights abuses or vio-  
5                   lations;

6                   (B) security personnel of the Government  
7                   of Ethiopia who were involved in the June or  
8                   November 2005 shootings of demonstrators;

9                   (C) security personnel responsible for mur-  
10                  dering Etenesh Yemam; and

11                  (D) security personnel responsible for mur-  
12                  dering prisoners at Kaliti prison in the after-  
13                  math of the election violence in 2005.

14                  (3) CERTIFICATION.—The certification de-  
15                  scribed in this paragraph is a certification by the  
16                  President to Congress that the Government of Ethi-  
17                  opia is making credible, quantifiable efforts to en-  
18                  sure that—

19                       (A) all political prisoners and prisoners of  
20                       conscience in Ethiopia have been released, their  
21                       civil and political rights restored, and their  
22                       property returned;

23                       (B) prisoners held without charge or kept  
24                       in detention without fair trial in violation of the  
25                       Constitution of Ethiopia are released or receive



1 a fair and speedy trial, and prisoners whose  
2 charges have been dismissed or acquitted and  
3 are still being held are released without delay;

4 (C) the Ethiopian judiciary is able to func-  
5 tion independently and allowed to uphold the  
6 Ethiopian Constitution and international  
7 human rights standards;

8 (D) security personnel involved in the un-  
9 lawful killings of demonstrators and others, in-  
10 cluding Etenesh Yemam, and Kaliti prisoners  
11 are held accountable;

12 (E) family members, friends, legal counsel,  
13 medical personnel, human rights advocates, and  
14 others have access, consistent with international  
15 law, to visit detainees in Ethiopian prisons;

16 (F) print and broadcast media in Ethiopia  
17 are able to operate free from undue interference  
18 and laws restricting media freedom, including  
19 sections of the Ethiopian Federal Criminal  
20 Code, are revised;

21 (G) licensing of independent radio and tel-  
22 evision in Ethiopia is open and transparent;

23 (H) Internet access is not restricted by the  
24 government and the ability of citizens to freely

1 send and receive electronic mail and otherwise  
2 obtain information is guaranteed;

3 (I) the National Election Board (NEB) in-  
4 cludes representatives of political parties with  
5 seats in the Ethiopian Parliament and the NEB  
6 functions independently in its decision-making;

7 (J) representatives of international human  
8 rights organizations engaged in human rights  
9 monitoring work, humanitarian aid work, or in-  
10 vestigations into human rights abuses in Ethi-  
11 opia are admitted to Ethiopia and allowed to  
12 undertake their work in all regions of the coun-  
13 try without undue restriction; and

14 (K) Ethiopian human rights organizations  
15 are able to operate in an environment free of  
16 harassment, intimidation, and persecution.

17 (4) WAIVER.—

18 (A) IN GENERAL.—The President may  
19 waive the application of paragraph (1) or (2) on  
20 a case-by-case basis if the President determines  
21 that such a waiver is in the national security in-  
22 terests of the United States.

23 (B) NOTIFICATION.—Prior to granting a  
24 waiver under the authority of subparagraph  
25 (A), the President shall transmit to Congress a

1 notification that includes the reasons for the  
2 waiver.

3 (b) TREATMENT OF POLITICAL PRISONERS AND  
4 PRISONERS OF CONSCIENCE.—

5 (1) IN GENERAL.—The President, the Secretary  
6 of State, and other relevant officials of the Govern-  
7 ment of the United States shall call upon the Gov-  
8 ernment of Ethiopia to immediately—

9 (A) release any and all remaining political  
10 prisoners and prisoners of conscience, especially  
11 prisoners held without charge; and

12 (B) allow full and unfettered access to the  
13 Ogaden region by humanitarian aid organiza-  
14 tions and international human rights investiga-  
15 tors.

16 (2) TORTURE VICTIM RELIEF.—While it is the  
17 responsibility of the Government of Ethiopia to com-  
18 pensate the victims of unlawful imprisonment and  
19 torture and their families for their suffering and  
20 losses, the President shall provide assistance for the  
21 rehabilitation of victims of torture in Ethiopia at  
22 centers established for such purposes pursuant to  
23 section 130 of the Foreign Assistance Act of 1961  
24 (22 U.S.C. 2152).

1       (c) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the Government of the United States should—

3           (1) encourage the Government of Ethiopia to  
4 enter into discussions with opposition political  
5 groups interested in reconciliation in order to bring  
6 such groups into full participation in the political  
7 and economic affairs of Ethiopia, including their le-  
8 galization as political parties, and provide such as-  
9 sistance as is warranted and necessary to help  
10 achieve the goal described in this paragraph; and

11          (2) provide assistance to promote the privatiza-  
12 tion of government owned or controlled industries  
13 and properties in Ethiopia.

14 **SEC. 6. SUPPORT FOR ECONOMIC DEVELOPMENT IN ETHI-**  
15 **OPIA.**

16       (a) RESOURCE POLICY ASSISTANCE.—The President,  
17 acting through the Administrator of the United States  
18 Agency for International Development and in cooperation  
19 with the World Bank and other donors, shall provide as-  
20 sistance, as needed, for sustainable development of Ethio-  
21 pia's Nile and Awash River resources, including assistance  
22 to help Ethiopia with the technology necessary for the con-  
23 struction of irrigation systems and hydroelectric power  
24 that might prevent future famine.

1       (b) HEALTH CARE ASSISTANCE.—The President,  
2 acting through the Administrator of the United States  
3 Agency for International Development, shall provide mate-  
4 rial support to hospitals, clinics, and health care centers  
5 in Ethiopia, especially hospitals, clinics, and health care  
6 centers in rural areas.

7 **SEC. 7. REPORT.**

8       Not later than 180 days after the date of the enact-  
9 ment of this Act, the President shall transmit to Congress  
10 a report on the implementation of this Act, including a  
11 description of a comprehensive plan to address issues of  
12 security, human rights, including in the Ogaden region,  
13 democratization, and economic freedom that potentially  
14 threaten the stability of Ethiopia.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16       (a) IN GENERAL.—There are authorized to be appro-  
17 priated to carry out this Act \$20,000,000 for each of the  
18 fiscal years 2008 and 2009.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

Passed the House of Representatives October 2,  
2007.

Attest: LORRAINE C. MILLER,  
*Clerk.*